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RAYMOND CLARK #D-99370
 P.O. Box #5005, D-5, #132 Low
 Delan, CA 93216
 — Pro-Se —

FILED

JUN 9 2008

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT, FOR
 THE NORTHERN DISTRICT OF CALIFORNIA
 FILE NUMBER CV-08-2547 JW (PR)

RAYMOND CLARK, Plaintiff
 Vs.

Ex-Parte Motion To
 Proceed In Forma Pauperis
 Civil L.R. 7-10 (a)

JOHN F. SCHUCK, Defendant,

To: THE HONORABLE PRESIDING JUDGE in the above-entitled case the Plaintiff RAYMOND D. CLARK, hereby moves this Honorable court for an Order permitting him to prosecute this case in forma pauperis as a poor person without prepayment of fees and court costs. Pursuant to Civil L.R. 7-10(a), and 28 U.S.C. § 1915, P.L.R.A. notwithstanding.

The motion is based upon the fact that Plaintiff is indigent in the manner promulgated in: Bounds v. Smith, 430 U.S. 826-827-828, and without income or assets. Plaintiff is unemployed, and has not received any gifts or gratuity whatsoever within the last 180 days. see: Plaintiff's "Affidavit" annexed as "Exhibit A".

Plaintiff diligently undertook all pre-requisites to comply with Prison Litigation Reform Act of 1995, see "Exhibit B" trust account statement, but Plaintiff's efforts were thwarted by Prison Staff to deny Plaintiff access to the court, and to "Redress". I declare that the foregoing is true under penalty of Perjury.

Date: June 04, 2008

1st Raymond Clark
 in ... Plaintiff

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Affidavit of Raymond D. Clark

EXHIBIT "A"

1 One, living, sentient, freewill, natural man known as:
 2 Raymond D. Clark, acting with rights granted by life, and
 3 upheld by all valid and just law, declares and attests that
 4 the following facts are true, correct, and complete the truth,
 5 the whole truth re: God Almighty, and if called to the stand
 6 I could competently testify thereto that:

7 #1. I filed several "602" Grievance Appeals at North Kern State
 8 Prison, unrelated to the case at bar in this court, for
 9 unprofessional conduct, reckless negligence, excessive
 10 force, unnecessary force, denial of medical treatment, etc.

11 #2. Each and Every "602" Grievance was duly granted by
 12 Associate Warden "A. Briggs" and/or Chief Medical Officer
 13 "Dr. A. Youstices".

14 #3. One of said "602" Appeals granted on March 24, 2008, is
 15 before the Honorable David Lampe, Judge of Dist. 212 of
 16 the Kern County Superior Court, for reimbursement of \$580.00
 17 for allegedly lost Law books, by Prison Guard "Pearson", in
 18 case number #C010608A now Pending.

19 #Plus "4. Plaintiff has made exactly three separate "CA-22"
 20 Request for trust account statements.

21 #⁵ Each and Every Request has been the object of willful
 22 failure to perform duty enjoined by Law. Cal. Govt Code § 1222
 23 violation of Fiduciary Trust to shield fellow Employees of
 24 N.K.S.P. from Judicial Process.

25 #6. I received the last 2811 S.C. #1915 P.L.R.A. Informa Pauper's
 26 Application and trust account Certification on 5-27-08, and
 27 was submitted to Prison Trust Office on 5-27-08, who has refused
 28 to complete and return it to Plaintiff. See "Exhibit C".

I declare that the foregoing is true under Penalty of Perjury.
 Date: June 04, 2008
 s/ Raymond D. Clark - Plaintiff

STATE OF CALIFORNIA
GA-22 (9/92)

DEPARTMENT OF CORRECTIONS

DATE 3-24-08	TO Accounting	FROM (LAST NAME) CLARK	CDC NUMBER D-99370
HOUSING D-2	BED NUMBER 1214P	WORK ASSIGNMENT H-12	JOB NUMBER FROM — TO —
OTHER ASSIGNMENT (SCHOOL, THERAPY, ETC.) H-12			ASSIGNMENT HOURS FROM — TO —

Clearly state your reason for requesting this interview.

You will be called in for interview in the near future if the matter cannot be handled by correspondence.

Please Send Me A Copy of Current Trust Account Balance - Because I did not make the Current list - Nor the Indigent Envelope Either - P.S. - Something Is Wrong ???

Do NOT write below this line. If more space is required, write on back.

INTERVIEWED BY

DATE

DISPOSITION

Ispritu

3/25/08

Please see attached.

Trust Officer

TS210B

CALIFORNIA DEPARTMENT OF CORRECTIONS
ITAS TRUST ACCOUNT DISPLAY

----- ACCOUNT INFORMATION -----

----- SPECIAL ITEMS -----

ACCOUNT NUMBER: D99370
ACCOUNT NAME: CLARK, RAYMOND
ACCOUNT TYPE: I
CURRENT BALANCE: 0.00
HOLD BALANCE: 0.00
ENCUM. BALANCE: 0.00
AVAILABLE: 0.00
PRIVILEGE GROUP: U
LAST CANTEEN:

----- ACCOUNT TRANSACTIONS -----

-----TS210CA

DATE	TRAN	AMOUNT	DESCRIPTION	CHECK NUM	COMMENT	BALANCE
02/22/08	DD30	0.02	CASH DEPOSIT ON		2483LAJAIL	0.02
02/27/08	W502	0.02-	POSTAGE CHARGE		2552/POSTA	0.00

PAGE# 1 OF 1 PAGES

REST	ACCOUNT	PREVIOUS	NEXT	DISPLAY	SELECT	PRINT	MAIN
FINES	DISPLAY	PAGE	PAGE	HOLDS	NEW ACCT	SCREEN	MENU

EXIBIT "B"

INMATE/PAROLEE

APPEAL FORM

CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. _____

1. _____

2. _____

2. _____

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME <u>CLARK</u>	NUMBER <u>D-99370</u>	ASSIGNMENT <u>Reception Center</u>	UNITY/ROOM NUMBER <u>N-5, #132</u>
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A. Describe Problem: Prison Accountant "Espiritu" has intentionally failed to complete and return my 28 U.S.C. § 1915 Trust Account Certification sent to that office in April 2008, and May 2008, in violation of Government Code § 1222 and Title 15 § 3162(Ca) thus impeding access to the Court in Case Number 08-2547 JW (PCR).

If you need more space, attach one additional sheet.

B. Action Requested: Complete and Forward the duly 28 U.S.C. § 1915 Trust Account Certifications To The United States District Court, 450 Golden Gate Ave., San Francisco, CA 94120 Case No. CV 08-2547 JW (PCR), "A-S-A-P." or within 7 days of this appeal - or \$500,000.00 compensation

Inmate/Parolee Signature: Raymond Clark Date Submitted: 6-04-08

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: _____

Staff Signature: _____ Date Returned to Inmate: _____

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: _____ Date Submitted: _____

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:

*Confirmed Copy
Original Filed
June 04, 2008
15/ Raymond Clark*



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UNITED STATES DISTRICT COURT, FOR THE
NORTHERN DISTRICT OF CALIFORNIA. File # 08-2547

RAYMOND CLARK, Plaintiff
vs.
JOHN F. SCHUECK, Defendant,

Proposed Order Granting
Motion To Proceed In
Forma Pauperis. et seq.

IT IS HEREBY ORDERED, that based on the Ex-Parte
Motion, and Affidavit of Plaintiff Raymond D. Clark,
and Civil L.R. 7-10(a), Good Cause having been
proven that the Plaintiff is herein granted Permission to
proceed in the Prosecution of Complaint "CV-08-2547 JW CPR"
in forma pauperis, without Pre-payment of fees.

IT IS FURTHER ORDERED, that from this time forward
partial fees shall be deducted from the Plaintiff's Trust
account as the become available, and Paid to clerk of
this court.

It is so Ordered.

1st

U.S. District Judge.

Date:

PROOF OF SERVICE BY MAIL

I, Raymond Clark, declare that I am the Plaintiff and Movant in this action, and that I mailed the attached motion and Affidavit to Proceed in forma pauperis in case No. CV-08-2547 JW (PR) by placing the same in an envelope with first class postage pre-paid addressed to:

Clerk, U.S. District Court
450 Golden Gate Ave.
San Francisco, CA. 94102

Executed this 4th day of June 2008, at N.E.S.P.
Delano, CA. 94102.

I, declare that the foregoing is true and correct
under Penalty of Perjury 28 U.S.C. § 1746

/s/ Raymond Clark

Raymond Clark #8934
P.O. Box #5005, D-S, #132
Delano, CA 93216

Case 5:08-cv-02547-JW

Document 4-2

Filed 06/09/2008

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BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 12615 WASHINGTON DC

POSTAGE WILL BE PAID BY UNITED STATES COURTS

US DISTRICT COURT
450 GOLDEN GATE AVE
PO BOX 36060
SAN FRANCISCO CA 94102-9680

Legal Mail

Confidential C.C. #3141(c)

Legal M

